



Dorcac

Disciplinary

Guidelines & Procedure

Document information

Title document	Disciplinary guidelines and procedures		
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Purpose & scope

As indicated in our integrity framework, we expect everyone who represents Dorcas to comply with international and local law and to uphold the highest standards of integrity. Dorcas expects its representatives to always behave in a manner that represents Dorcas mission and beliefs and core values. If an employee acts in a way that is inconsistent with our integrity standards, values and principles and does not adhere to our rules of conduct and does not commit to our integrity policies, it is necessary to take disciplinary measures.

These guidelines are intended to provide clarity about how Dorcas will handle in case of inappropriate employee behavior and when employees violate our rules of conduct.

Definitions

What is misconduct?

Anything that counts as misbehavior by an employee can be described as misconduct. We distinguish the following different types of misconduct that describe the various levels of seriousness:

GENERAL MISCONDUCT

General misconduct is where an employee has behaved incorrectly but has not done anything too serious. Examples of general misconduct:

- Arriving late to work several times
- Not appropriately dressed for work
- Absent from work without permission
- Behaving offensively
- Unauthorized use of business equipment or property.

Activities classified as general misconduct can be classified as gross misconduct when the behaviour increases in serious forms and there are no improvements despite warning conversations.

GROSS MISCONDUCT

If an employee's behaviour has caused serious damage to Dorcas as organization, and it destroys our employee-employer relationship, we talk about a gross misconduct. In this case Dorcas has the right to dismiss an employee directly; without notice and without any pay place of notice (see Step 5)

Examples of serious and gross misconduct:

- Serious breaches of health and safety rules
- Violations of our codes of conduct
- Intoxication at work (alcohol or drugs)
- Theft or other criminal conduct
- Accepting bribes or engaging in money laundering
- Violence
- Offensive behavior (e.g. bullying, harassment, discrimination)
- Immoral, unethical or indecent behavior
- Sabotage of equipment or projects



- Other conduct bringing the reputation of Dorcas into serious disrepute.

Procedure

We explain the handling of misconduct by an employee in a number of steps. There may be situations of misconduct that are of such a serious nature that immediately suspension or termination is needed, then proceed to step 4 or 5 in this process.

The examples mentioned above are just examples. There may be other misconducts that are very specific. Consult an HR advisor or the coordinating integrity focal point for advice to make sure you follow the right processes and steps, before taking any action!

Overview of persons involved in disciplinary measures

Employee	In this policy; the person who committed the misconduct.
Supervisor	the direct supervisor of the employee concerned. In the first instance, he is the appropriate and responsible person to apply the necessary disciplinary measures.
Country Director	Is final responsible for the employee and his supervisor. Depending on the misconduct or possible involvement of supervisor in misconduct, the country director is responsible for applying the disciplinary measures.
Integrity Focal Point	The integrity focal point of the country concerned will be informed, by the supervisor or country director about the misconduct that has occurred. He will report this in the incident reporting system. He can also advise supervisor about the disciplinary policy and how to apply this.
Executive board	In case of gross misconduct, the executive board will be informed by the country director.
HR Officer/IHM Advisor	Needs to be consulted for advice to make sure the right processes and steps are taken.
Confidential Advisor	Can be consulted for advice by employee.

In short, the disciplinary measures consist of the following steps:

1. Counseling and Verbal warning
2. First written warning
3. Second written warning and Performance Improvement Plan
4. Suspension and final written warning (This can be step 1)
5. Termination of employment (This can be step 1)



Step 1: Counseling and verbal warning

As soon as the misconduct has been established, it is important to have a meeting with the employee in a short term. The supervisor needs to discuss with the employee the nature of the problem, misconduct or the violation of Dorcac policies and procedures. It is important to keep in mind that there may be a reasonable cause for the employee's behavior and that we need to investigate further. Invite the employee to respond and explain his side of the situation. Clearly describe the expectations there are of the employee to improve his or her performance or resolve the problem.

After the meeting (within 5 days) the supervisor confirms the verbal warning in writing. The employee needs to sign this document to demonstrate his or her understanding of the issues and the corrective action.

Step 2: First written warning

If employee's behavior does not improve in a reasonable period of time, it's necessary that the supervisor gives a first official written warning. This written warning contains an explanation of the noted ongoing misconduct and in addition, it is stated that the employee will receive additional disciplinary action if immediate corrective action is not taken. An example of a corrective action is the preparation of a formal performance improvement plan.

Depending on the seriousness of the misconduct the written warning may also include a statement indicating that the employee may be subject to additional discipline, up to and including termination, if immediate and sustained corrective action is not taken.

The supervisor and/or country director will meet with the employee to discuss the ongoing misconduct as well as the previous corrective discussions and any action plans (Step 1).

During this conversation, the supervisor should identify the consequences for the employee if he or she does not meet the expectations, as described in the written warning.

A formal performance improvement plan that requires corrective action from the employee is prepared within five working days after a Step 2 meeting.

Step 3: Second written warning incl. performance improvement plan

If the employee's behavior does not improve despite the verbal and first written warning (steps 1 and 2), it is necessary to give a second official written warning. If there was no need to start a performance improvement plan in step 2, it should be started now.

The supervisor needs to set very clear expectations about behavior/performance that must be improved within a certain timeframe and indicate what the consequences will be if there is insufficient improvement within the agreed period. A performance improvement plan takes about 3-6 months. Schedule evaluation meetings (for example every 4 weeks) to assess whether sufficient progress has been made. Indicate what is going good and indicate clearly what does not yet meet the expectations.

During evaluation meetings and at the end of the process, clearly state whether the expectations have been met and, if not, why. Discuss the next steps (Step 4 and further) if the agreements have not been fulfilled and insufficient improvements have been made.



Step 4: Suspension and final written warning

Some performance, conduct or safety incidents are very problematic and harmful that the most effective action may be the temporary removal of the employee from the workplace. When immediate action is necessary to ensure the safety of the employee or others, the supervisor may suspend the employee pending the results of an investigation. This needs to be done in consultation with the country director and supported by the involved HR officer/HR advisor.

Depending on the seriousness of the misconduct, an employee may be suspended without payment of salary. This is an exceptional measure and of course, this must be in accordance with local labor law. In accordance with the Fair Labor Standards Act (FLSA), unpaid suspension of paid employees is reserved for serious safety or behavioral problems in the workplace. HR can provide guidance to ensure discipline is managed without compromising FLSA exemption status. The employee's salary may be refunded if an investigation into the misconduct exempts the employee from misconduct.

When an employee has to be suspended for gross misconduct, this must always be confirmed in writing. This letter must provide a clear explanation on the basis of which unacceptable behavior someone has been suspended. This letter must also state the duration of the suspension and a final date on which the employee can submit a possible objection.

As soon as an investigation has taken place and it is known what the next steps will be, the employee is invited for a meeting with the supervisor and country director. It is recommended to involve an HR officer/advisor in such official conversations.

Step 5: Termination of employment

The last and most serious step in this discipline process is termination of employment. Dorcas will make every effort to prevent this step by first giving a warning, both verbally and in writing, or suspending the employee from the workplace before proceeding with a recommendation to terminate the employment. However, Dorcas reserves the right to combine and skip these steps (steps 1, 2, 3 and 4), depending on the circumstances of each situation and the nature of the misconduct. Employees may be terminated without notice or disciplinary action. Supervisor's recommendation to terminate employment must be approved by Country director and HR. Final approval must be required from the executive board of Dorcas Aid International.

Appeals Process

Employees have the option to object to any of the above disciplinary measures. Employees are given the opportunity to share information that shows that the employee is innocent. The purpose of this appeal process is to provide insight into circumstances that may have contributed to the employee's misconduct. This may give rise to extenuating circumstances. If the employee does not present this information at one of the step meetings, he or she will have five working days after each of those meetings to present such information. The employee has the right to be advised by the confidential advisor or another confidential person, appointed by the employee.



Performance and conduct Issues Not Subject to this Disciplinary Procedure

Illegal misconduct is not subject to these disciplinary procedures and may result in immediate termination of employment. Such behavior should be reported to local law enforcement agencies. Likewise, theft, substance abuse, intoxication, fights and other acts of violence at work are also not covered by these procedures and may lead to immediate termination.

Documentation

The employee will be provided with copies of all documentation regarding any disciplinary actions, including Performance Improvement Plans. The employee will be asked to sign copies of this documentation to confirm that he or she has received and understood the corrective actions described in these documents. Copies of these documents are placed in the employee's official personnel file.

Any form of misconduct will be reported to the integrity focal point.

Implementation plan

<<Mandatory element for policies>>

#	Action	Relevant document	Owner	Deadline
1.	<Adjust document '... '>			
2.	<Adjust document '... '>			
3.	<Create document '... '>			
4.	<Communicate implications to '... '>			
5.	<Set up training>			
6.	<etc.>			
7.	<etc.>			

